



Difference Does Not Equal Disability: Michigan Takes Action Regarding Disproportionality

Office of Special Education and Early Intervention Services

**Michigan Association of
Administrators of Special Education
August 7, 2007**




Outcomes for Today

- Common understanding of key concepts and issues about Disproportionality
- MDE's obligations and actions to address Disproportionality
- Knowledge of available interventions and resources for addressing disproportionality



Background: Equity with Excellence

The No Child Left Behind Act (NCLB) and the Individuals with Disabilities Education Improvement Act (IDEA) mandate that we provide all children with the opportunity to succeed.



***“Their minds are in our hands.
We must be responsible.”***

Dr. Alexa Posny, former Director
United States Department of Education
Office of Special Education Programs



President's Commission on Excellence in Special Education

"Special education should be for those who do not respond to strong and appropriate instruction and methods provided in general education . . . General education and special education share responsibilities for children with disabilities. They are not separable at any level - cost, instruction, or even identification"

- *A New Era: Revitalizing Special Education for Children and their Families*,
ED Pubs, Education Publications Center, U.S. Department of Education, 2002)



What Does the Data Tell Us?

- African American students account for only 14.8% of the general population of 6-21 year-olds, but they make up 20% of the special ed population across all disabilities, 18% of students with SLD, 27% of students with EI, and 34% of students with CI (Losen & Orfield, 2002)
- African American children are almost 3 times as likely to be labeled Cognitively Impaired (CI) and 1.68 times more likely to be labeled Emotionally Impaired (EI) than white children (Klingner et. al., 2005)
- African American and Hispanic students are much more likely to spend more than 60% of the school day outside of the general education classroom than other subgroups

Why is Disproportionality an Important Problem to Address?

- Poor academic outcomes, low graduation rates, high suspension, expulsion and dropping out of school
- Lowered expectations for success
- Stigma placed on identified students, especially Cognitively or Emotionally Impaired labels
- Negative perceptions towards families; mistrust of system



Why is Disproportionality an Important Problem to Address?

- High unemployment and juvenile justice involvement
- School aged population is becoming more culturally and linguistically diverse at an unprecedented rate.




Disproportionality is an Education Issue



General Education

**Special
Education**

August 7, 2007



"...the perception that a child is disabled results from a complex weave of widely varying beliefs, policies, and practices at all levels—family and community, classroom, school, district, state and federal government, and society at large."

(Harry & Klingner, 2006)



Federal Obligations

State Education Agencies must report on Disproportionality in the State Performance Plan (SPP) –

- State's definition of Disproportionality
- How data are to be collected
- Plan for determining whether the disproportionate representation is a result of inappropriate identification. If it is inappropriate, revise policies, procedures, and practices



Federal Obligations - continued

State Performance Plan (SPP)

Indicator 9 – Percent =

$$\frac{\text{\# Disproportionate Districts}}{\text{Total \# Districts in State}} \times 100$$

Number of districts with disproportionate representation of **racial and ethnic groups** in special education and related services that is the result of inappropriate identification divided by the number of districts in the State times 100.



Federal Obligations - continued

State Performance Plan (SPP)

Indicator 10 – Percent =

$$\frac{\text{\# Disproportionate Districts}}{\text{Total \# Districts in State}} \times 100$$

Number of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification divided by the number of districts in the State times 100.



Racial/Ethnic Groups Counted For Disproportionality

- Black
- Hispanic
- Native American
- Asian
- White



Disability Groups Counted for SPP Indicators #9 and 10

- Children 6-21 served under IDEA
- Children in the following six disability categories:
 - Emotional Impairment
 - Cognitive Impairment
 - Specific Learning Disability
 - Speech & Language Impairment
 - Other Health Impairment
 - Autism Spectrum Disorder



What is Disproportionality?

Disproportionate representation refers to both “**over-representation**” and “**under-representation**” of specific demographic groups of students in special education or related services or programs **that is the result of inappropriate identification.**

Disproportionality: Over-representation

% of students of a specific race/ethnicity

Over-representation

In special education

In school's population



Disproportionality: Under-representation

% of students of a specific race/ethnicity

Under-representation



In special education



In school's population



Disproportionality is about...

- The identification of children with disabilities
- The placement in particular educational settings
- The incidence, duration, and type of disciplinary actions, including suspensions and expulsions

Michigan State Performance Plan

Disproportionality . . .



**What are the causes
in our schools?**



When Might Disproportionality Exist?

- When children are unnecessarily placed into special education programs
- When children are at risk for special education placement due to inadequate instruction in general education classrooms
- When the quality of special education programs inhibits educational progress and decreases the likelihood of a return to the general education classroom

References: Skiba et al., (2003). *The Context of Minority Disproportionality: Local Perspectives on Special Education Referral*. Indiana Education Policy Center. Indiana University. McDermott, et al., (2006). *The Cultural Work of Learning Disabilities*, Educational Researcher, 35, 6, 12-17.

How Do Negative Outcomes Occur? A Progression of Student Risk Factors

B. Harry & J. Klingner, 2006

EARLY CHILDHOOD 2 - 5 Years

Community

Lack of economic/
environmental resources

Poor health care/nutritional
supports

Exposure to violence/substance
Abuse (media and community)

Lack of socialization/learning
enrichment supports

Family challenges and lack
of readiness for
school

MIDDLE CHILDOOD Elementary School 6 - 11 Years

School

Lack of appropriate
materials/qualified
instructors/class size

Ineffective instruction/
expectations / interventions

Poor classroom management
and/or school safety issues

Lack of social skills instruction
and prevention strategies

Insufficient cultural competency

Placement in non-
comprehensive settings

Over and under-
identification for EI

ADOLESCENCE Middle and High School 12 - 18 Years

Juvenile Justice

Early problems with
police, stealing, fighting

Interaction with delinquent and
high-risk peer groups

Lack supervision / transition
support from school, parents,
and community

Substance abuse

Access to weapons

Lack of social supports
or interventions

Potential School-Based Risk Factors


B. Harry & J. Klingner, 2006

- Lack of appropriate materials, instructors, and classrooms
- Inadequate instruction, expectations, interventions, and support
- Lack of social skills instruction, focus on prevention
- Insufficient cultural competence
- Poor classroom management, Zero tolerance
- Over-identification for CI, EI, and SLD



What Might Cause Disproportionality?

- Failure of general education to educate children from diverse backgrounds
- Bias or inappropriate practice in the referral and placement process
- Misidentification, misuse of tests
- Lack of access to effective instruction
- Lack of academic and behavioral interventions prior to special education referral
- Insufficient resources
- Teachers who are not well prepared
- Poverty



**How do we know
what to change or
where to begin?**

**The answer is in rich and
accessible data.**



Which districts are involved?

Districts were notified if there was a discrepancy relative to the racial/ethnic representation of African American students placed in special education and/or placed in special education identified as cognitively impaired ($WRR > 2.5$)



How Do You Measure Disproportionality?

Technical Assistance Guide from
U.S. Department of Education:

[www.ideadata.org/docs/Disproportionality
%20Technical%20Assistance%20Guide.pdf](http://www.ideadata.org/docs/Disproportionality%20Technical%20Assistance%20Guide.pdf)



Why begin with African American Students?

- Nationally, African-American children are 2.88 times more likely to be labeled CI and 1.92 times more likely to be labeled EI than white children.
- African-American children make up the largest single minority group in Michigan (20.8% of student population)
- Disproportionality is also evident in Michigan when analyzing suspension and expulsion rates & AYP.

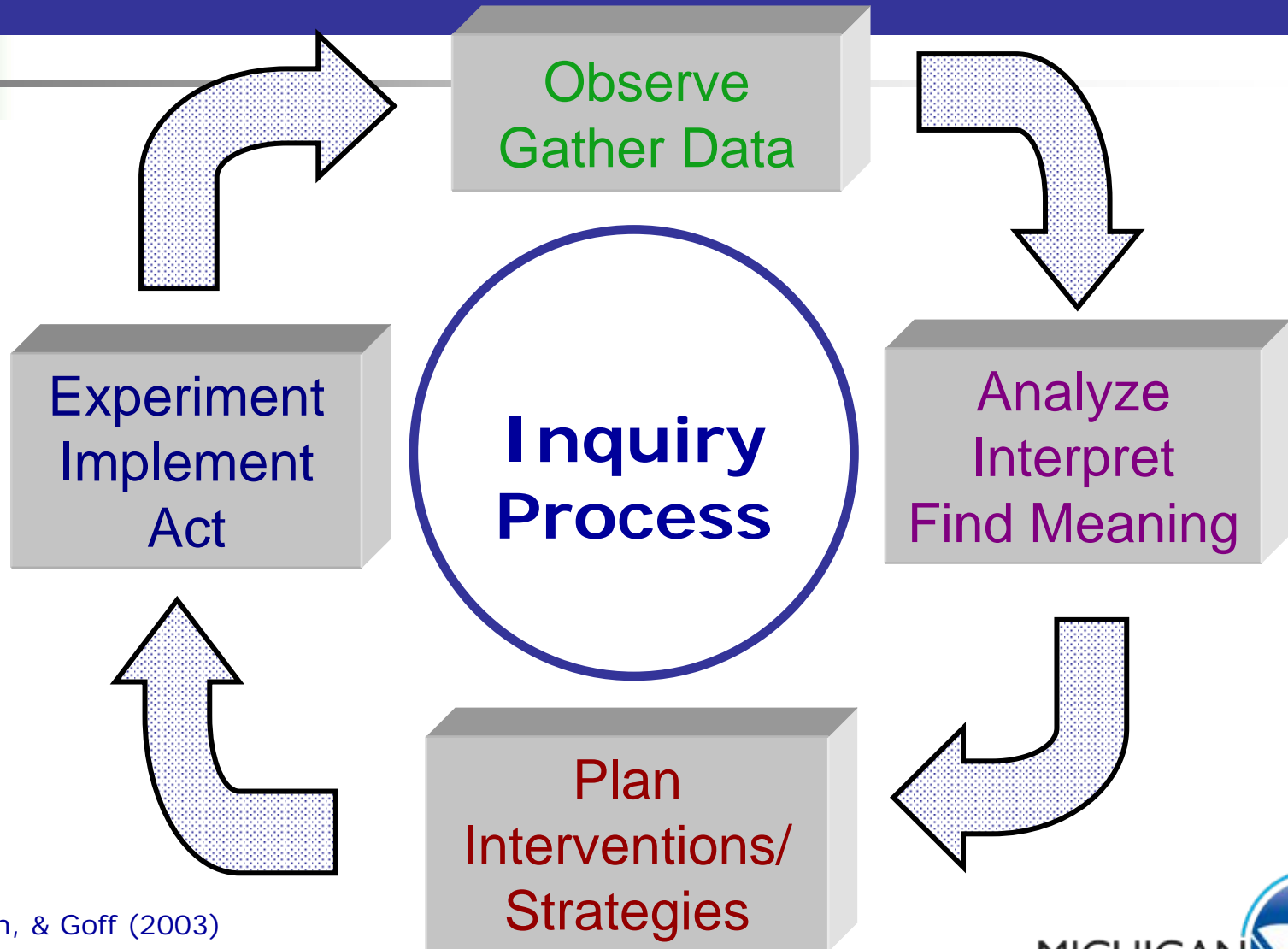


A Systemic Review

Successful and sustainable implementation of evidence-based practices and programs always requires organizational change.

Implementation Research, *A Synthesis of the Literature*;
Monograph by National Implementation Research Network


How?





What's Next?

Complete a district self-review
rubric to examine policies,
procedures and practices



For every complex problem
there is an answer that is
clear, simple, and wrong.

H. L. Mencken (1880-1956)





Changing the vision...

Eliminating disproportionality is an adult issue.

(Joseph Olchefske, Superintendent of Seattle Schools)

We must change the way we think about ability, competence and success and encourage schools to redefine support so that the need to sort children is reduced.

(Testimony before the President's Commission, 2002)



We just need to teach students what they need to know...

and ask...

- Is there adequate opportunity for all students to learn?
- What barriers may stand in the way of students learning?
- How might we overcome these barriers?




We need to...

- Learn about the lives of our students and students' experiences outside of the classroom.
- Provide professional development that helps teachers more effectively promote learning in the context of nurturing and emotionally supportive environments.
- Acknowledge shortcomings and work to improve them.



We need to...

- Identify what is working and continue doing it.
- Set high expectations for what children can and should learn.
- Provide every child with quality instruction.
- Provide academic and behavioral support for all students in need.



When African American students, as well as students identified as having disabilities, are placed in de-tracked classes where they are exposed to a rigorous curriculum and high expectations, the achievement gap between White and African American students is greatly reduced.

(Burris & Welner, 2005)



Office of Special Education and Early Intervention Services

Initiatives relevant to disproportionality:

- Michigan Integrated Behavior and Learning Support Initiative (MiBLSi)
- Michigan's Integrated Technology Supports- (MITS)
- Michigan Alliance for Families
- High School Summit
- State Improvement Grant
 - Math Adequate Yearly Progress (AYP)
 - English Language Arts AYP
 - Root Cause Mapping



Resources on Disproportionality

- Donovan, S., & Cross, C. (2002). *Minority students in special and gifted education*. Washington, DC: National Academy Press.
- Ladson-Billings, G. (1994). *The dreamkeepers: Successful teachers of African American children*. San Francisco: Jossey-Bass.
- Losen, D.J., & Orfield, G. (Eds.) (2002). *Racial inequity in special education*. Cambridge, MA: Harvard University Press.
- Ralabate, P. (2003). *Meeting the challenge: Special education tools that work for all kids*. Washington, DC: NEA library.
- *Addressing Over-Representation of African-American Students Through Promising Practice: The Pre-Referral Intervention Process*. National Alliance of Black School Educators and Council for Exceptional Children (2002).



Web Resources on Disproportionality

- www.urbanschools.org
- www.nccrest.org
- <http://www2.edtrust.org/edtrust/dtm>
- <http://www.nul.org/educationandyouth.html>
- www.teachingtolerance.org
- www.wsu.edu:8001/vcwsu/commons/topics/culture/culture-index.html
- www.peacecorps.gov/www/educators/index.html
- www.proteacher.com/090031.shtml
- www.education-world.com/a_lesson/archives/soc_sci.shtml
- <http://cecp.air.org/cultural/default.htm>



For further information, contact:

Amy Colton

coltona@michigan.gov

Eleanor White

whitee@michigan.gov

Office of Special Education and
Early Intervention Services
Michigan Department of Education
608 W. Allegan St.
P.O. Box 30008
Lansing, MI 48909